



Senate

General Assembly

File No. 562

January Session, 2013

Substitute Senate Bill No. 960

Senate, April 18, 2013

The Committee on Planning and Development reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT AUTHORIZING MUNICIPALITIES TO PROTECT HISTORIC PROPERTIES AND DISTRICTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (10) of subsection (c) of section 7-148 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2013*):

4 (10) (A) Make all lawful regulations and ordinances in furtherance
5 of any general powers as enumerated in this section, and prescribe
6 penalties for the violation of the same not to exceed two hundred fifty
7 dollars, unless otherwise specifically provided by the general statutes.
8 Such regulations and ordinances may be enforced by citations issued
9 by designated municipal officers or employees, provided the
10 regulations and ordinances have been designated specifically by the
11 municipality for enforcement by citation in the same manner in which
12 they were adopted and the designated municipal officers or employees
13 issue a written warning providing notice of the specific violation

- 14 before issuing the citation;
- 15 (B) Adopt a code of ethical conduct;
- 16 (C) Establish and maintain free legal aid bureaus;
- 17 (D) Perform data processing and related administrative computer
18 services for a fee for another municipality;
- 19 (E) Adopt the model ordinance concerning a municipal freedom of
20 information advisory board created under subsection (f) of section 1-
21 205 and establish a municipal freedom of information advisory board
22 as provided by said ordinance and said section; [.]
- 23 (F) Protect the historic or architectural character of properties or
24 districts that are listed on, or under consideration for listing on, the
25 National Register of Historic Places, 16a USC 470, or the state register
26 of historic places, as defined in section 10-410.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2013	7-148(c)(10)
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PD Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which allows municipalities to adopt ordinances to protect the historic or architectural character of properties on the National Register of Historic Places or the state register of historic places, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 960*****AN ACT AUTHORIZING MUNICIPALITIES TO PROTECT HISTORIC PROPERTIES AND DISTRICTS.*****SUMMARY:**

This bill authorizes municipalities to adopt ordinances to protect the historic or architectural character of properties and districts that are listed on, or being considered for listing on, the state or national register of historic places.

EFFECTIVE DATE: October 1, 2013

BACKGROUND***National Register of Historic Places***

The national register includes districts, sites, buildings, structures, and objects that are significant to American history, architecture, archeology, engineering, and culture. Such a property is not subject to any federal restrictions as long as it does not receive federal funding.

State Register of Historic Places

The state register uses eligibility criteria similar to the national register and includes:

1. all properties listed on the national register or determined eligible for listing;
2. all individually nominated properties and districts approved by the state historic preservation council (SHPC);
3. all properties approved by the SHPC for local historic property or district designation;
4. properties in the Connecticut historical commission's 1966-1967

survey of historic properties; and

5. all of the resources included in the 1987 survey of state-owned buildings completed for the Connecticut Historical Commission.

Properties listed on the state register are not subject to state-mandated use or development restrictions.

Historic Property and Historic District Commissions

By law, municipalities have the option of establishing historic property and historic district commissions (CGS § 7-147a *et seq.*). These commissions designate properties and districts under their jurisdiction through a process overseen by the Department of Economic and Community Development. They have the authority to grant a certificate of appropriateness, which is required before an owner can demolish or alter exterior architectural features of a designated property or erect a structure in a historic district.

In addition, municipalities may regulate historic properties through zoning and village district regulations (CGS §§ 8-2 and 8-2j).

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (04/01/2013)